

REMARKS

A new substitute application has been submitted in a sincere attempt to overcome the criticisms in the Office Action of the text in the application as filed.

Applicant respectfully submits, however, that it is not necessary in this application to provide all of the identifiers indicated in Sections D. and E. of the Office Action. Applicant submits that the essential characteristics by which the plant can be distinguished are amply recited in the enclosed application.

The discrepancies pointed out in Section F. of the Office Action have been resolved. The substitute application includes mention of 'Yellow Cassa,' the cultivar in Plant Patent No. 6,301, based upon the Examiner's comments on the bottom of page 7 of the Office Action. The bloom height is now characterized as low.

The requirement for information under 37 CFR 1.105 is acknowledged. The Examiner is informed that the first sale of the plant was in the Netherlands in November 1999.

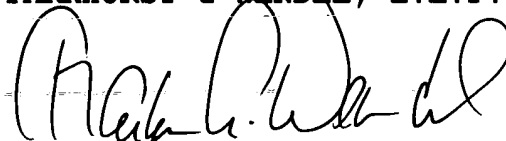
The Examiner asked applicant to verify the PBR numbers in the declaration because they were not found in a search of the UPOV database. At present, it is the undersigned's understanding that the information is correct. The Examiner will note that filing

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dates are listed for these applications as well. The European application may be listed in the UPOV database as 11172/2000. The undersigned will contact the Examiner if any numbers are found to be in error.

Respectfully submitted,

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Date

CAW/ch

Enclosures:

Substitute Application

Markup

Attorney Docket No.: CHRE:111

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